

This matrix summarizes new sanctuary regulations and changes to existing regulations proposed as part of the Jmpr. For the most accurate and complete version of the regulations as proposed, please refer to the full text of the regulatory language, as printed in the *Federal Register* on October 6, 2006. This *Federal Register* entry is available at <http://www.sanctuaries.nos.noaa.gov/jointplan/drafts/proposed.html>.

Updated 10/5/06

Gulf of the Farallones NMS Proposed Regulation Changes			
Issue	Proposed Regulation	Rationale	Expected Effect on Users
Introduced Species	Prohibit the introduction or release within or into the Sanctuary nonnative species, except (A) striped bass released during catch and release fishing activity; and (B) species cultivated by existing mariculture activities in Tomales Bay pursuant to a valid lease, permit, license or other authorization issued by the State of California in and in effect on the effective date of the final regulation, provided that the renewal by the State of any authorization does not increase the type of introduced species being cultivated or the size of the area under cultivation with introduced species.	Increases protection to native Sanctuary biodiversity and ecosystem integrity; Striped bass are exempt since they are a CDFG managed fishery.	No adverse effect on current lawful uses within the Sanctuary. Existing mariculture operations in Tomales Bay are not affected.
Cruise Ship Discharges	Prohibit discharging or depositing, from within or into the Sanctuary, any material or matter from a cruise ship other than engine cooling water. <i>Cruise ship means a vessel of 250 or more passenger berths for hire.</i>	Increases protection to Sanctuary resources by eliminating large volumes of potentially harmful and hazardous discharges from an increasing number of cruise ships in and out of the San Francisco and Monterey Bay areas.	Cruise ships have the ability to hold their waste until they are out of the Sanctuary and so will not be unduly impacted as they pass through.
Vessel Discharges	Clarify and narrow the wastewater discharge exemptions for food wastes and sewage. (Eliminates exemptions for discharging wastes	Minimizes the discharge of food wastes and hazardous materials that could harm wildlife; Clarifies the MSD exemption so that boaters know what type of discharges from MSD are prohibited;	The prohibition on the discharge of food wastes could have an impact on users in that they must now dispose of their food waste outside the Sanctuary. However,

This matrix summarizes new sanctuary regulations and changes to existing regulations proposed as part of the JMPR. For the most accurate and complete version of the regulations as proposed, please refer to the full text of the regulatory language, as printed in the *Federal Register* on October 6, 2006. This *Federal Register* entry is available at <http://www.sanctuaries.nos.noaa.gov/jointplan/drafts/proposed.html>.

Updated 10/5/06

	resulting from meals on board vessels and chumming for non-fishing purposes; Clarifies that discharges allowed from marine sanitation devices apply only to Type I and Type II MSDs (no raw sewage dumping)).	increases protection to Sanctuary resources by eliminating the discharge of raw sewage from vessels; provides consistency among all three sanctuaries (and with CINMS).	this is a small and reasonable burden. The MSD requirements are only a clarification and should not result in an impact to boaters other than boaters must now lock discharge valves to prevent discharge of untreated sewage.
Shark Attraction and Approach	Prohibit attracting white sharks anywhere in the Sanctuary or approaching within 50 meters of any white shark within a line approximately 2 nm around the Farallon Islands.	Addresses user conflict issue between researchers and adventure tourism industry, while extending protection to white sharks during behavior sensitive feeding events.	This regulation would affect the adventure tourism industry by prohibiting operators from attracting white sharks or approaching them near the Farallon Islands. Researchers would also be impacted as they would need a permit to approach or attract. However, the regulation is necessary to minimize user conflicts and protect white sharks. Sanctuary permits for shark attraction may be issued for a viable research, educational or management purpose.
Enter and Injure Discharge Regulation	Prohibit discharging or depositing, from beyond the boundary of the Sanctuary, any material or other matter than subsequently enters the Sanctuary and injures a Sanctuary resource or quality (same exceptions as the “discharge in the Sanctuary” reg.).	Increases protection to Sanctuary water quality and provides consistency with adjacent sanctuaries.	This regulation would not have an impact on any lawful uses of the Sanctuary.
Anchoring a Vessel in Tomales Bay	Prohibit anchoring a vessel in a designated seagrass protection zone in Tomales Bay, except as necessary for mariculture operations conducted pursuant to a valid lease, permit or license.	Extends protection to sensitive nearshore habitat that is important as fishery nurseries, water quality filtering systems, and habitat areas for a variety of species.	This regulation would have an impact on boaters by limiting where they can anchor. However, seagrass is a sensitive habitat and there are other less sensitive areas available. Note that lawful mariculture operations are exempt.
Deserting a Vessel	Prohibit deserting a vessel around, at anchor, or adrift in the Sanctuary; or leaving harmful matter aboard a	This would provide a means of preventing harm to Sanctuary resources before it occurs by reducing the number of vessel groundings and the types of	Most users of the Sanctuary would not be impacted by this regulation. However, those who have abandoned

This matrix summarizes new sanctuary regulations and changes to existing regulations proposed as part of the JMPR. For the most accurate and complete version of the regulations as proposed, please refer to the full text of the regulatory language, as printed in the *Federal Register* on October 6, 2006. This *Federal Register* entry is available at <http://www.sanctuaries.nos.noaa.gov/jointplan/drafts/proposed.html>.

Updated 10/5/06

	grounded or deserted vessel in the Sanctuary.	harmful discharges that they can result in. Abandoned vessels have been an issue in Tomales Bay, where people leave vessels for years unattended, only to rot and eventually sink.	their vessels either at anchor, or adrift can now be compelled to remove them. This is already true for vessels aground. Vessel owners can also be compelled to remove harmful matter from abandoned vessels.
Mammals, Sea Turtles & Birds	Prohibits “taking” or “possessing” any marine mammal, sea turtle or bird in or above the Sanctuary, except as authorized under the MMPA, ESA, and MBTA.	Increases protection of sensitive species; added legal deterrent; added enforcement/prosecutorial option; consistency with other more recently designated sanctuaries.	There are no current uses of the Sanctuary that involve the deliberate taking of these animals.
Shoreward Boundary Fix	Fixes boundary to Pt. Reyes National Seashore.	Permanently fix the shoreward boundary in Tomales Bay to the boundary along Pt. Reyes Natl. Seashore boundary at the time of Sanctuary designation in 1981. Since designation the Pt. Reyes boundary has changed, removing previously protected areas from Sanctuary protection.	No impact.
Technical Changes	Various minor changes	Clarify the “submerged lands” are part of boundary; delete exception in alteration of seabed reg. for “construction of an outfall;” and add new manager permit as a category of allowable permit.	No Impact.